

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 333

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO SCHOOL BUILDING MAINTENANCE; AMENDING SECTION 33-1019, IDAHO  
2 CODE, TO REVISE A PROVISION RELATING TO THE SUBMISSION BY SCHOOL DIS-  
3 TRICTS OF CERTAIN INFORMATION TO THE STATE DEPARTMENT OF EDUCATION; AND  
4 AMENDING SECTION 39-8006A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO  
5 THE SUBMISSION BY EACH SCHOOL DISTRICT OF A CERTAIN PLAN TO THE DIVISION  
6 OF BUILDING SAFETY AND TO REVISE PROVISIONS RELATING TO THE INFORMATION  
7 INCLUDED IN SUCH PLAN.  
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Section 33-1019, Idaho Code, be, and the same is hereby  
11 amended to read as follows:

12 33-1019. ALLOCATION FOR SCHOOL BUILDING MAINTENANCE REQUIRED. (1)  
13 School districts shall annually allocate moneys for school building mainte-  
14 nance from any source available to the district equal to at least two percent  
15 (2%) of the replacement value of school buildings, less the receipt of state  
16 funds as provided in this section. Any school district expending more than  
17 four percent (4%) of the replacement value of school buildings for school  
18 building maintenance in any single fiscal year, beginning with the expendi-  
19 tures of fiscal year 2005, may apply the excess as a credit against the two  
20 percent (2%) requirement of this section until such credit is depleted or  
21 fifteen (15) years have expired. The state shall annually provide funds to  
22 be allocated for school building maintenance as follows:

23 (a) Divide one (1) by the school district's value index for the fiscal  
24 year, as calculated pursuant to section 33-906B, Idaho Code; and

25 (b) Multiply the result by one-half of one percent (0.5%) of the re-  
26 placement value of school buildings.

27 (c) For purposes of the calculation in this subsection (1), public  
28 charter schools shall be assigned a value index of one (1).

29 (2) State funds shall be appropriated through the educational sup-  
30 port program/division of facilities and disbursed from the school district  
31 building account. The order of funding sources used to meet the state fund-  
32 ing requirements of this section shall be as follows:

33 (a) State lottery funds distributed pursuant to section 33-905(2),  
34 Idaho Code;

35 (b) If state lottery funds are insufficient to meet the state funding  
36 requirements of this section, then other state funds available pursuant  
37 to section 33-905(3), Idaho Code, shall be utilized; and

38 (c) If the funds in paragraphs (a) and (b) of this subsection (2) are in-  
39 sufficient to meet the state funding requirements of this section, then  
40 funds available pursuant to section 33-1018B, Idaho Code, shall be uti-  
41 lized.

1 (3) Moneys allocated for school building maintenance shall be used  
2 exclusively for the maintenance and repair of school buildings or any se-  
3 rious or imminent safety hazard on the property of said school buildings  
4 as identified pursuant to chapter 80, title 39, Idaho Code, and shall be  
5 utilized, first, to abate serious or imminent safety hazards, as identified  
6 pursuant to chapter 80, title 39, Idaho Code. Unexpended moneys in a school  
7 district's school building maintenance allocation shall be carried over  
8 from year to year and shall remain allocated for the purposes specified in  
9 this subsection (3). The replacement value of school buildings shall be  
10 determined by multiplying the number of square feet of building floor space  
11 in school buildings by eighty-one dollars and forty-five cents (\$81.45).  
12 Notwithstanding the definition in subsection (8) of this section, school  
13 buildings that are less than one (1) year old on the first day of school shall  
14 not be used in the replacement value calculation. The joint finance-appro-  
15 priations committee shall annually review the replacement value per square  
16 foot when setting appropriations for the educational support program and may  
17 make adjustments to this figure as necessary.

18 (4) For school buildings first occupied between July 1, 2009, through  
19 September 30, 2019, regarding the replacement value calculation that school  
20 districts are directed to use to determine the amount of moneys such dis-  
21 tricts shall allocate for school building maintenance as directed by subsec-  
22 tion (1) of this section, a portion of the square footage of school buildings  
23 first occupied on or after July 1, 2009, and constructed pursuant to the pro-  
24 visions of section 33-356, Idaho Code, shall not be used in the replacement  
25 value calculation, based on the following schedule:

26 (a) For school buildings at least one (1) year old but less than two (2)  
27 years old on the first day of school, exclude one hundred percent (100%)  
28 of the square footage;

29 (b) For school buildings at least two (2) years old but less than three  
30 (3) years old on the first day of school, exclude eighty percent (80%) of  
31 the square footage;

32 (c) For school buildings at least three (3) years old but less than four  
33 (4) years old on the first day of school, exclude sixty percent (60%) of  
34 the square footage;

35 (d) For school buildings at least four (4) years old but less than five  
36 (5) years old on the first day of school, exclude forty percent (40%) of  
37 the square footage; and

38 (e) For school buildings at least five (5) years old but less than six  
39 (6) years old on the first day of school, exclude twenty percent (20%) of  
40 the square footage.

41 (5) The amount of relief provided to any school district pursuant to  
42 subsection (4) of this section shall not exceed the amount that would be pro-  
43 vided if the school district had a value index of one (1).

44 (6) School districts shall submit the following to the state department  
45 of education by not later than the third Friday in December †:

46 (a) The number of square feet of school building floor space; and

47 (b) The funds and fund sources allocated for school building mainte-  
48 nance and any unexpended allocations carried forward from prior fiscal  
49 years; and

1 (c) The projects on which moneys from the school district's school  
 2 building maintenance allocation were expended, and the amount and cate-  
 3 gories of expenditures; and

4 (d) The planned uses of the school district's school building mainte-  
 5 nance allocation.

6 The state department of education shall transmit a summary of such reports to  
 7 the legislature by not later than January 15 of the following year.

8 (7) If a school district that is participating in the relief provided  
 9 for in subsection (4) of this section is forgiven the requirement to allocate  
 10 the school district portion of the moneys for the two percent (2%) of build-  
 11 ing replacement value for building maintenance provided in subsection (1)  
 12 of this section, then once the requirements of subsection (1) of this sec-  
 13 tion are reinstated, the provisions of subsection (4) of this section shall  
 14 recommence from the time the forgiveness took effect.

15 (8) For the purposes of this section:

16 (a) "Annually" means each fiscal year.

17 (b) "School building" means buildings that are owned by the school dis-  
 18 trict or leased by the school district through a lease-purchase agree-  
 19 ment and are regularly occupied by students.

20 (c) "School district" means a school district or public charter school.

21 SECTION 2. That Section 39-8006A, Idaho Code, be, and the same is hereby  
 22 amended to read as follows:

23 39-8006A. BEST PRACTICES MAINTENANCE PLAN FOR SCHOOL BUILDINGS. The  
 24 administrator of the division of building safety and the state department  
 25 of education shall consult and shall draft a best practices maintenance plan  
 26 for school buildings which shall be supplied to the superintendent of each  
 27 school district. Based on the best practices maintenance plan, each school  
 28 district shall develop a ten (10) year plan and submit it to the ~~state depart-~~  
 29 ~~ment of education~~ division of building safety for approval. ~~Annually there-~~  
 30 ~~after, the school district shall submit a report to the state department of~~  
 31 ~~education~~ Such plan shall be submitted in all years ending in zero (0) or five  
 32 (5), and shall include information detailing the work completed pursuant to  
 33 the previous maintenance plan and any revisions to that plan.